

**Attachment B:****Part E6: Kensington and Kingsford Town Centres Development Control Plan 2020**

| DCP Clause    | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Compliance<br>(Yes/No/NA/<br>Conditioned) |
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| <b>PART A</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                           |
| <b>2.</b>     | <b>Urban Design and Place-Making</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                           |
| <b>2.1</b>    | <b>Guiding Principals</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                           |
|               | <p>Development within the Kensington and Kingsford town centres must align with the following urban design and place making principles which are derived from the K2K Planning Strategy and community input:</p> <ul style="list-style-type: none"><li>• Provide quality affordable housing to meet local housing needs, particularly for key workers, essential workers and students</li><li>• Reinforce boulevard character along Anzac Parade by strengthening the built form edge and adding greenery</li><li>• Achieve a dominant typology of diverse mid-rise, mixed-use buildings throughout the town centres</li><li>• Provide taller, slender landmark buildings at identified strategic node sites in conjunction with the delivery of substantial public benefits established through a design excellence process</li><li>• Protect the heritage significance of heritage items, contributory buildings and/or heritage conservation areas located within the town centres and adjoining areas</li><li>• Give priority to people walking, cycling and using public transport</li><li>• Achieve a sensitive transition in relation to recently constructed development and surrounding established lower scaled residential neighbourhoods</li><li>• Create a positive street level environment through built form that allows solar amenity, permeability and maintains human scale</li></ul> | <p>The proposed development provides a mixed-use development comprising a combination of place of public worship, community facilities, retail, and residential uses. The co-living component comprises a mix of typologies. The proposed built form is largely consistent with the provisions of the Kensington and Kingsford DCP with particular regards to the character statement and transition of scale. A consistent 4 storey street wall podium is provided with cut-outs. Upper tower podium setbacks and separation are provided, all of which is largely consistent with the block controls. Improvements to through site link connections and widths is a positive contribution to the public domain.</p> | <b>Complies.</b>                          |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Proposal                                                                                                                                                                                                                                              | Compliance (Yes/No/NA/Conditioned) |
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|            | <ul style="list-style-type: none"> <li>• Ensure that new infill development respects the fine-grain character of contributory buildings</li> <li>• Establish building setback controls which provide for the creation of wider footpaths and street tree planting</li> <li>• Achieve urban design, place and architectural excellence, including best practice environmental design</li> <li>• Provide active street frontages throughout the town centres</li> <li>• Encourage precinct-scale benefits across all node sites that contributes to the unique character of each town centre; and</li> <li>• Achieve innovative place-led solutions for local hydrology and resilience.</li> </ul>                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                       |                                    |
| <b>3.</b>  | <b>Desired Future Character</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                       |                                    |
| <b>4.</b>  | <b>Design Excellence</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                       |                                    |
|            | <p>(a) All new development involving the construction of a new building or external alterations to an existing building is to meet the requirements of Clause 6.11 of the RLEP 2012 relating to design excellence Buildings are to be designed to achieve at least 5-star green star performance as a component for achieving design excellence on strategic node sites</p> <p>(b) DAs involving the construction of a new building on the following strategic node sites are subject to an architectural design competition in accordance with Clause 6.21 of RLEP 2012:</p> <ul style="list-style-type: none"> <li>• Todman Square Precinct</li> <li>• Kingsford Midtown Precinct</li> <li>• Kingsford Junction Precinct</li> </ul> <p>(c) Prior to lodgement of DAs for strategic node sites, the architectural design competition process is to be undertaken in accordance with Council's "Architectural Competition Policy" adopted 10 December 2019</p> | <p>The application was referred to Council's Design Excellence Advisory Panel, who raised concerns with the proposal, which have been addressed through plan amendments and consent conditions.</p> <p><i>See Key Issues for further comment.</i></p> | <b>Acceptable.</b>                 |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Compliance (Yes/No/NA/Conditioned)                                                                 |
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|            | <p>(d) For DAs at strategic node sites that successfully demonstrate design excellence, the consent authority may consider the following:</p> <ul style="list-style-type: none"> <li>(i) additional building height and FSR in accordance with the RLEP 2012 Additional Heights and Additional FSR maps; and</li> <li>(ii) exclusion of social infrastructure floor space provided on the site from the total gross floor area calculation, subject to the social infrastructure floor space being dedicated to Council.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                    |
| <b>5.</b>  | <b>Floor Space Ratio</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                    |
|            | <p>(a) The maximum FSR that can be achieved on a site is shown on the RLEP 2012 FSR Map. An alternative FSR is applicable in accordance with the RLEP 2012 Alternative FSR Map where the proponent makes an offer to enter into a VPA for either a monetary contribution or the delivery of Community Infrastructure in accordance with the Community Infrastructure Contributions Plan (see Part D for details on Community Infrastructure Contribution)</p> <p>(b) In relation to the Kensington Town centre where an existing FSR Map does not apply, the Alternative FSR Map is applicable for the purposes of calculating the Community Infrastructure contribution referred to in clause (a) for any floor space above the existing height maximum control shown on the RLEP 2012 Height Map</p> <p>(c) A minimum non-residential FSR of 1:1 is to be provided at each strategic node site within the Todman Square, Kingsford Midtown and Kingsford Junction Precincts, in accordance with Clause 4.4 of the RLEP 2012</p> <p>(d) Non-residential floor space must be designed to be accessible, useable and functional for the purposes of</p> | <p>A letter of offer to enter into a VPA for the purpose of community infrastructure has been submitted.</p> <p>Subject to the alternative FSR provisions, the site benefits from a FSR of 5.5:1 (Part A) and 4.4:1 (Part B), with a 10% bonus for co-living under the Housing SEPP 2021.</p> <p>The proposed development shall have a maximum FSR of 4.67:1 (aggregated across site), with an FSR of 6.4:1 to Part A and 4.1:1 to Part B, respectively.</p> <p>Subject to 6.19 of the RLEP 2012, a non-residential FSR of 1:1 is applicable to Part A of the site only.</p> <p>The proposed development shall have a maximum Non-residential FSR of 0.6:1 (Part A only).</p> | <p><b>Does not comply.</b></p> <p><i>See Key Issues and Clause 4.6 for further discussion.</i></p> |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Proposal                                                                                                                                                                                                                                                                                                                                    | Compliance (Yes/No/NA/Conditioned) |
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|            | commercial, business, entertainment and retail activities and the like                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | See Clause 4.6 assessment for variations to the Part A FSR and Non-Residential FSR in the assessment report.                                                                                                                                                                                                                                |                                    |
| <b>6.</b>  | <b>Built Form</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                             |                                    |
|            | <p><b><i>Lot Amalgamation</i></b></p> <p>(a) A minimum street frontage of 20m is to be provided for each development site along Anzac Parade and Gardeners Road</p> <p>(b) When development/redevelopment/amalgamation is proposed, sites between and adjacent to developable properties are not to be limited in their future development potential</p> <p>(c) Where a development proposal results in an isolated site, the applicant must demonstrate that negotiations between the owners of the lots have commenced prior to the lodgement of the DA to avoid the creation of an isolated site. The following information is to be included with the DA:</p> <ul style="list-style-type: none"> <li>(i) evidence of written offer (s) made to the owner of the isolated site* and any responses received</li> <li>(ii) schematic diagrams demonstrating how the isolated site is capable of being redeveloped in accordance with relevant provisions of the RLEP 2012 and this DCP to achieve an appropriate urban form for the location, and an acceptable level of amenity</li> <li>(iii) schematic diagrams showing how the isolated site could potentially be integrated into the development site in the future in accordance with relevant provisions of the RLEP 2012 and this DCP to achieve a coherent built form outcome for the block.</li> </ul> <p>(d) Where lot consolidation cannot be achieved to comply with the maximum</p> | <p>The site consolidates 6 allotments, which results in a frontage of 60.9m at the Anzac Parade street frontage, 28.2m to Bunnerong Road street frontage, and 43.3m to Sturt Street street frontage.</p> <p>The adjoining sites have been consolidated and subject to separate development approvals in accordance with K2K provisions.</p> | <b>Complies.</b>                   |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Compliance (Yes/No/NA/Conditioned)                                                                 |
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|            | envelopes in the block diagrams, alternative designs may be considered where the proposal exhibits design excellence and can demonstrate consistency with the relevant objectives of the block controls (Part B).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                    |
|            | <p><b>Building Heights</b></p> <p>(a) The maximum height that can be achieved on a site is shown on the RLEP 2012 Height Map. An alternative maximum height is applicable in accordance with the RLEP 2012 Alternative Height Map where the proponent makes an offer to enter into a VPA for either a monetary contribution or the delivery of Community Infrastructure in accordance with the Community Infrastructure Contributions Plan. (see Part D for details on Community Infrastructure Contribution)</p> <p>(b) The maximum number of storeys on a site is to comply with the following:</p> <ul style="list-style-type: none"> <li>i) on sites with a maximum of 16m – 4 storeys</li> <li>ii) on sites with a maximum of 19m – 5 storeys</li> <li>iii) on sites with a maximum of 31m – 9 storeys</li> <li>iv) on sites with a maximum 57m – 17 storeys</li> <li>v) on sites with a maximum 60m – 18 storeys</li> </ul> | <p>A Letter of Offer has been submitted to enter into a VPA for the provision of Community Infrastructure in accordance with the CIC Plan. As such, the site is subject to an alternative building height up to a maximum of 51m (Part A) and 31m (Part B).</p> <p>The proposed development shall have a maximum height of 48.98m to Tower A and 35.12m to Tower B, both of which are a variation to the 31m maximum height of Part B of the site.</p> <p>The development seeks to rationalise the scale and transition of massing across the site to Tower A.</p> <p>The variations to Tower B are largely resultant from the sloping site and roof features to facilitate the rooftop COS areas. The development maintains a 9 storey height in accordance with the control to this lower tower.</p> | <p><b>Does not comply.</b></p> <p><i>See Key Issues and Clause 4.6 for further discussion.</i></p> |
|            | <p><b>Street Walls</b></p> <p>(a) Buildings must be designed with a street wall height of 4 storeys</p> <p>(b) On sites with contributory buildings, the consent authority may consider a variation to the four-storey street wall</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>The proposed development shall have a street wall of 4 storeys to all frontages, including to the through site links. Cut-outs have been provided</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p><b>Acceptable.</b></p> <p><i>See Key Issues and for further discussion.</i></p>                 |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposal                                                                                                                                                                                                                                                          | Compliance (Yes/No/NA/Conditioned)                                          |
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|            | <p>height requirement of between 2 and 6 storeys if the design:</p> <ul style="list-style-type: none"> <li>(i) results in an improvement to the contributory building in accordance with established heritage principles to avoid facadism</li> <li>(ii) meets the objectives of this clause and exhibits design excellence</li> <li>(iii) retains contributory or heritage elements; and</li> <li>(iv) provides a transition to neighbouring sites.</li> </ul> <p><b>Note 1:</b> Street wall height can be established via podiums, datum lines or other design elements.</p> <p><b>Note 2:</b> See Part A Section 9 for further requirements for heritage items and contributory buildings.</p> | to provide breaks in the massing generally in accordance with the controls.                                                                                                                                                                                       |                                                                             |
|            | <p><b>Building Setbacks</b></p> <ul style="list-style-type: none"> <li>(a) DAs are to comply with the minimum ground floor and upper level setbacks illustrated in the relevant block diagrams in Part B</li> <li>(b) Development that results in an exposed party wall on an adjoining building is to incorporate architectural or vertical landscape treatment to improve visual amenity</li> </ul>                                                                                                                                                                                                                                                                                             | The proposal is considered to be largely consistent with the required setbacks under Site 2 'Kingsford Triangle Block' in Part B, with a minor variation to the minimum setback to the Anzac Parade street frontage and the interfaces to the through site links. | <p><b>Acceptable.</b></p> <p>See Key Issues and for further discussion.</p> |
|            | <p><b>Building Depth</b></p> <ul style="list-style-type: none"> <li>(a) The residential component of development fronting Anzac Parade and Gardeners Road is to have a maximum building depth of 22m including balconies.</li> </ul> <p><b>Note 1:</b> Building depth refers to the dimension measured from the front to the back of a building's floorplate. It has a significant influence on building circulation and configuration and impacts upon internal residential amenity such as access to light and air. For residential development, narrower building depths generally have a greater potential to</p>                                                                             | The maximum depth of the building shall be 18m-20m for the tower envelope above the First-Floor level.                                                                                                                                                            | <b>Complies.</b>                                                            |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Compliance (Yes/No/NA/Conditioned)                               |
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|            | <i>achieve optimal natural ventilation and solar access than deeper floor plates.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                  |
| <b>7.</b>  | <b>Through Site Links/Mid-Block Connections</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                  |
|            | <p>(a) Through site links and mid-block connections are to be provided in accordance with the relevant block diagram in Part B</p> <p>(b) Where new site links or variations are proposed, the consent authority is to consider the need for and desirability of the links or connections having regard to the objectives of this section</p> <p>(c) Through site links and mid-block connections are to have an easement for public access on title or covenant on title unless identified for dedication to Council</p> <p>(d) Through-site links/ mid-block links are to be designed to:</p> <ul style="list-style-type: none"> <li>(i) have a minimum width of 6m, and a clear height of at least 6m</li> <li>(ii) be direct and publicly accessible 24 hours a day</li> <li>(iii) allow visibility along the length of the link and be open to the sky as much as is practicable</li> <li>(iv) be easily identified by users and have a public character</li> <li>(v) include signage advising of the publicly accessible status of the link and the places to which it connects</li> <li>(vi) be clearly distinguished from vehicle accessways</li> <li>(vii) align with breaks between buildings so that views are extended and there is less sense of enclosure</li> <li>(viii) provide active edges and opportunities for natural surveillance</li> <li>(ix) include materials and finishes (paving materials, tree planting, furniture etc.) integrated with adjoining streets and public spaces and be graffiti and vandalism resistant</li> <li>(x) ensure no structures (for example, electricity substations, carpark exhaust vents,</li> </ul> | <p>The proposed development seeks to deliver an extended through-site link, which has been provided by 407-411 Anzac Parade to the south-east, in accordance with the Site 2 'Kingsford Triangle Block' in Part B. The proposed configuration will continue to satisfy the intended outcome for site permeability within the site and activation of the links with non-residential uses.</p> <p>Adequate conditions of consent have been recommended regarding covenants / easements to require public access.</p> | <p><b>Acceptable.</b></p> <p>Refer to Key Issues Assessment.</p> |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Compliance (Yes/No/NA/Conditioned)                               |
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|            | <p>swimming pools etc) are constructed in the through-site link; and</p> <p>(xi) include landscaping to assist in guiding people along the link while enabling long sightlines.</p> <p>(e) Through-site links are only to pass through or under a building where:</p> <p>(i) the building's height is greater than 3 storeys; and</p> <p>(ii) the maximum distance of the link under any structure is 18m</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                  |
| <b>8.</b>  | <b>Laneway/Shared Way Zoned</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                  |
|            | <p>(a) Laneways and shared zones are to be provided in accordance with the relevant block diagram (see Part B)</p> <p>(b) Laneways are to be a minimum of 6 metres wide (for larger developments, a carriageway width greater than 6 metres may be required) and shall provide landscaping, lighting and high quality materials and finishes and opportunities for art to enhance the pedestrian environment</p> <p>(c) Buildings that front lanes shall be articulated to create visual interest and shall incorporate passive surveillance by orienting windows and balconies onto the lane</p> <p>(d) Ground floor uses fronting lanes shall incorporate openings onto the lane so as to contribute to the enjoyment and activation of the lane including outdoor dining</p> <p>(e) Applicants are to negotiate Rights of carriageway with adjoining property owners where required for access.</p> | <p>The proposed development seeks to deliver an extended link to the laneway provided within Scape Kingsford to the north-west, in accordance with the Site 2 'Kingsford Triangle Block' in Part B. The proposed configuration will continue to satisfy the intended outcome for site permeability within the site and activation of the links with non-residential uses.</p> <p>Adequate conditions of consent have been recommended regarding covenants / easements to require public access.</p> | <p><b>Acceptable.</b></p> <p>Refer to Key Issues Assessment.</p> |
| <b>9.</b>  | <b>Heritage Conservation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                  |
|            | <p><u>New development adjacent to heritage items and contributory buildings:</u></p> <p>(a) Development adjacent to heritage items and contributory buildings (infill development) should:</p> <p>(i) Be designed to respect the historic scale, proportions and articulation of adjacent contributory built forms, including heights, solid to void</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>The subject site is not within the vicinity of any heritage items, contributory items or HCAs, except the Daceyville HCA in Bayside Council, of which will not be appreciably impacted by the proposed development noting the extent of development</p>                                                                                                                                                                                                                                          | <p><b>Complies.</b></p>                                          |

| DCP Clause    | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proposal                                                                                                                                                                                                                                           | Compliance (Yes/No/NA/Conditioned)                                                 |
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|               | <p>ratios and alignments of street awnings</p> <p>(ii) Incorporate podiums and framed overlays that reference the principle influence line of historic streetscapes, and are cohesive with the established street frontage</p> <p>(iii) Be designed to incorporate setbacks which retain the profile and massing of exposed side elevations to retained contributory built forms</p> <p>(iv) Ensure new street elevations maintain the vertical articulation and segmented character if historic building groups which provide variety to the streetscape and sense of human scale, and avoid unrelated horizontally emphasised articulation</p> <p>(v) Provide contemporary new signage that compliments the character of the contributory buildings and</p> <p>(vi) Ensure that new finishes to side elevations should not detract from street front detailing and finishes.</p> <p>(b) Development should maintain and reinstate the emphasis of street corners and cross routes through reinforcement of historic height lines remaining at, and adjacent to intersections.</p> | <p>anticipated on the block under the K2K strategy.</p>                                                                                                                                                                                            |                                                                                    |
| <b>PART B</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                    |                                                                                    |
| <b>10.</b>    | <b>Block Controls</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                    |                                                                                    |
| <b>10.3</b>   | <b>Block by Block Controls – Other Sites</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                    |                                                                                    |
|               | <p>(a) Development must be consistent with the relevant block envelope controls including heights, setbacks, street walls, mid-block links and laneways</p> <p>(b) Built form within 'Flexible Zones' is to be designed to comply with the maximum building height in the RLEP 2012, objectives of this clause and the requirements of the ADG to achieve</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>The subject site is identified as being within Site 2 'Kingsford Triangle Block' of the Block controls. The proposed development provides variations to the building envelope stipulated in the Block to transition the massing to Tower A.</p> | <p><b>Acceptable.</b></p> <p><i>See Key Issues and for further discussion.</i></p> |

| DCP Clause   | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Proposal                                                                                                                                                                             | Compliance<br>(Yes/No/NA/<br>Conditioned)                            |              |      |      |      |                                                                                                                                                                                                                                                         |           |
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|              | transition to adjoining lower scale development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | However, the proposed built form is considered to be an appropriate response to the site and is largely consistent with the building envelope specified under the control framework. |                                                                      |              |      |      |      |                                                                                                                                                                                                                                                         |           |
| PART C       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                      |                                                                      |              |      |      |      |                                                                                                                                                                                                                                                         |           |
| 11.          | Housing Mix                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                      |                                                                      |              |      |      |      |                                                                                                                                                                                                                                                         |           |
|              | <p>(a) Development is to comprise a mix of apartment types, where gardens, adaptability and accessibility are more easily achievable for elderly people, families with children, or people living with disabilities</p> <p>(b) At least 20% of the total number of dwellings (to the nearest whole number of dwellings) within a development are to be self-contained studio dwellings or one-bedroom dwellings, or both</p> <p>(c) At least 20% of the total number of dwellings (to the nearest whole number of dwellings) within a development are to be 3 or more-bedroom dwellings and</p> <p>(d) Family friendly apartments of 3 bedrooms or more are to be located on the lower four floors of the building.</p> | <p>The proposed development does not consist of apartments. That being said, the development consists of a mix of co-living room typologies.</p>                                     | Acceptable.                                                          |              |      |      |      |                                                                                                                                                                                                                                                         |           |
| 12.          | Floor to Ceiling Heights                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                      |                                                                      |              |      |      |      |                                                                                                                                                                                                                                                         |           |
|              | <p>(a) Minimum floor to ceiling heights are to be provided for all development in accordance with the following requirements:</p> <table><tr><th>Ground Floor</th><th>First Floor</th><th>Upper Floors</th></tr><tr><td>3.5m</td><td>3.3m</td><td>2.7m</td></tr></table>                                                                                                                                                                                                                                                                                                                                                                                                                                                | Ground Floor                                                                                                                                                                         | First Floor                                                          | Upper Floors | 3.5m | 3.3m | 2.7m | <p>The Ground Floor level provides 4.2m (retail) and 5.6m (church) internal ceiling heights, respectively. The First-Floor level provides 3.3m internal ceiling heights.</p> <p>The upper residential levels provide 2.7m internal ceiling heights.</p> | Complies. |
| Ground Floor | First Floor                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Upper Floors                                                                                                                                                                         |                                                                      |              |      |      |      |                                                                                                                                                                                                                                                         |           |
| 3.5m         | 3.3m                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 2.7m                                                                                                                                                                                 |                                                                      |              |      |      |      |                                                                                                                                                                                                                                                         |           |
| 13.          | Solar and Daylight Access                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                      |                                                                      |              |      |      |      |                                                                                                                                                                                                                                                         |           |
|              | <p>(a) Solar access is to be provided in accordance with the recommendations of PART 4 of the Apartment Design Guide (ADG)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>The subject site has a north-east/south-west orientation. That being said, the proposed development provides</p>                                                                  | <p>Acceptable.</p> <p>See Key Issues and for further discussion.</p> |              |      |      |      |                                                                                                                                                                                                                                                         |           |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                    | Compliance (Yes/No/NA/Conditioned)                                                                     |
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|            | <p>(b) Buildings must ensure that areas of private or public open space are oriented to achieve the recommended level of solar amenity as per the ADG</p> <p>(c) In relation to student accommodation or boarding house proposals:</p> <p>(i) the design is to ensure that at least 60% of rooms achieve solar access during mid-winter for sites that have a north-south orientation</p> <p>(ii) common spaces such as lounge rooms or communal study areas are designed with a northerly aspect where possible</p> <p>(iii) atriums or slots in the façade are to be considered to maximise solar access to rooms.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>some solar access to 90% of rooms at mid-winter.</p> <p>The CLA to Level 1 will receive adequate solar access through the Anzac Parade street cut-out, as per the Housing SEPP requirements.</p>                                                                                                                                                                                                                                         |                                                                                                        |
| <b>14.</b> | <b>Acoustic Privacy</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                        |
|            | <p><u>Residential uses</u></p> <p>(a) All new development is to be constructed to achieve the following acoustic amenity criteria for the residential component of the building in accordance with Australian Standard AS2107:2016 based on an acoustic report specified in clauses d) and k). For the purposes of this clause, the residential component includes dwellings situated within shop top housing, mixed use buildings, or occupancies in student housing, boarding houses, serviced apartments, hotel and motel accommodation.</p> <p>(b) In naturally ventilated spaces for the residential component, the repeatable maximum Leq (1hour) should not exceed: i) 35 dB(A) between 10.00 pm and 7.00 am in sleeping areas when the windows are closed; ii) 40 dB(A) in sleeping areas when windows are open (24 hours); iii) 45 dB(A) in living areas (24 hours) when the windows are closed, and iv) 50 dB(A) in living areas (24 hours) when the windows are open.</p> <p>(c) Where natural ventilation cannot achieve the limits listed in clause b) the development is to include</p> | <p>The application was referred to Council's Environmental Health Officer who has provided a series of recommended conditions to ensure that the development provides an integrated acoustic/ventilation/air quality strategy, satisfying the requirements of the development.</p> <p>The acoustic environment was also reviewed by the TfNSW, who did not raise concern in relation to the proposal subject to recommended conditions.</p> | <p><b>Complies, subject to condition.</b></p> <p><i>See Key Issues and for further discussion.</i></p> |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Proposal | Compliance (Yes/No/NA/Conditioned) |
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|            | <p>mechanical ventilation, air conditioning or other complying means of ventilation (in accordance with the ventilation requirements of the Building Code of Australia and Australian Standard AS 1668.2-2012), when doors and windows are shut. In such circumstances the repeatable maximum Leq (1hour) with the alternative ventilation operating should not exceed:</p> <ul style="list-style-type: none"> <li>(i) 38 dB(A) between 10.00 pm and 7.00 am in sleeping areas;</li> <li>(ii) 46 dB(A) in living areas (24 hours);</li> <li>(iii) (45 dB(A) in sleeping areas between 7.00 am and 10.00 pm.</li> </ul> <p>(d) Notwithstanding the general noise criteria for environmental noise set out in clauses b) and c) for habitable rooms in the residential component of the proposed development is to incorporate noise control measures to ensure the standard LA10 Condition imposed by Liquor &amp; Gaming NSW is satisfied inside those occupied spaces with doors and windows closed and the alternative ventilation is operating as follows:</p> <ul style="list-style-type: none"> <li>(i) The cumulative LA10* from licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8 kHz inclusive) by more than 5 dB between 7am and midnight.</li> <li>(ii) The cumulative LA10* from licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8 kHz inclusive) between midnight and 7am.</li> <li>(iii) The noise from licensed premises shall be inaudible in any habitable room of any residential premises between the hours of midnight and 7am</li> <li>(iv) For this clause, the LA10* can be taken as the average maximum deflection of the noise</li> </ul> |          |                                    |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposal | Compliance (Yes/No/NA/Conditioned) |
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|            | <p>level emitted from the licensed premises.</p> <p>(e) For the purpose of acoustic assessment with respect to clauses a), b) c) and d) the assessment must identify the noise environment for the site as a result of the existing situation (including any business operations that include outdoor areas for use by patrons, and/or the provision of music entertainment) and noise generated by commercial premises within the mixed use building (this may involve consideration of potential uses if the commercial use is unknown at the time of the application for the mixed-use building).</p> <p>(f) All development is to be designed to minimise noise transition between apartments by adopting general noise concepts of:</p> <ul style="list-style-type: none"> <li>(i) locating busy, noisy areas next to each other and quieter areas next to other quiet areas, for example, living rooms next to living rooms, bedrooms with bedrooms</li> <li>(ii) locating bedrooms away from busy roads and other existing or potential noise sources</li> <li>(iii) using storage or circulation zones within the apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas; and</li> <li>(iv) minimising the amount of party (shared) walls with other apartments.</li> </ul> <p>(g) Noise transmission is to be reduced from common corridors by providing seals at entry doors</p> <p>(h) Conflicts between noise, outlook and views are to be resolved using design measures such as double glazing, operable screening and ventilation taking into account noise targets for habitable rooms as identified in clauses b) c) and d) above are assessed inside the rooms with doors</p> |          |                                    |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposal | Compliance (Yes/No/NA/Conditioned) |
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|            | <p>and windows closed and ventilation operating.</p> <p>(i) The design of the building is to address the requirements of clause d) with respect to noise from licensed premises and noise/vibration from mechanical plant and ventilation ducts associated with plant and equipment (including kitchen exhausts) serving the commercial spaces.</p> <p>(j) The design of new buildings or substantial alterations to existing buildings are to take into account the following noise conditions that would apply to each commercial tenancy in the development:</p> <p>(i) Noise from commercial plant and the use of the premises when assessed as in LAeq, 15 minute must not exceed the LA90, 15 minute background noise level by more the 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises when in use.</p> <p>(ii) Noise from the provision of entertainment and patron noise when assessed as an LA10* enters any residential use through and internal to internal transmission path is not to exceed the existing internal LA90, 15 minute level in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed within a habitable room at any affected residential use within the mixed use development between the hours of 7am and midnight, and is to be inaudible between midnight and 7am.</p> <p>(iii) For any gymnasiums or similar facilities in mixed use development the above noise conditions would apply noting that the noise limits include the creation of noise as a result of any vibration induced into the</p> |          |                                    |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposal | Compliance (Yes/No/NA/Conditioned) |
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|            | <p>building structure is to be inaudible in any residence between the hours of 10pm and 7am the following day.</p> <p>(iv) The noise limits in this clause applies with doors and windows closed and mechanical ventilation operating.</p> <p>(k) A noise and vibration assessment report, prepared by an appropriately qualified acoustical consultant/engineer, is to be submitted with DAs for new buildings or substantial alterations to existing buildings that include residential units or occupancies in student housing, boarding houses, serviced apartments, hotel and motel accommodation and any other sensitive land uses, addressing appropriate measures to minimise potential future noise and vibration impacts permissible in the B2 Local Centre Zone including amplified music associated with restaurants, small bars and cafes, noise from light rail movements. This assessment is to:</p> <p>(i) be prepared having regard to the NSW Environmental Protection Authority's Noise Policy for Industry, the DECC (EPA) Assessing Vibration, a Technical Guideline, and relevant Australian Standards pertaining to noise measurements and the noise conditions identified above</p> <p>(ii) incorporate an assessment of external noise sources and internal noise sources (such as mechanical ventilation) with respect to the criteria specified in b), c) and d); and</p> <p>(iii) detail the design measures needed to achieve the required internal acoustic amenity specified in b), c) and d).</p> <p><i>Note: The noise and vibration assessment report prepared at the DA stage will identify a noise design base for the entire mixed use building and would become the benchmark for subsequent assessments</i></p> |          |                                    |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposal                                                                                                                                                                              | Compliance (Yes/No/NA/Conditioned)            |
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|            | <p><i>of the entire mixed use building (or existing buildings subject to substantial alterations) and would become the benchmark for subsequent acoustic assessments. Any individual Das for commercial occupation within the mixed-use building or the altered existing building for an accompanying acoustic assessment is required to rely on the acoustic benchmark described above.</i></p> <p>(iv) To maintain the intent of the acoustic objectives, prior to the issue of a Construction Certificate or an Occupation Certificate, a certificate of acoustic compliance confirming compliance with the specified noise limits referred to above and the noise design base for the mixed use building or alterations to existing buildings is to be submitted to Council.</p>                                                                                                                                                                                   |                                                                                                                                                                                       |                                               |
|            | <p><u>Commercial Uses</u></p> <p>(l) The assessment for consideration of the future development within the town centre is to also consider an external noise external target of 70 dB(A) for general noise and an L10* level of 80 dB(A)/ 88 dB(C) when assessed at 1 metre from the future development, noting that future venues where entertainment is to be provided will be subject to the standard LA10 Condition in relation to the operation of those premises.</p> <p>(m) The site and building layout for new development in the town centre is to maximise acoustic privacy by providing adequate building separation within the development and from neighbouring buildings (refer 3.1.6: Building Separation).</p> <p><i>Note 1: The noise and vibration report prepared at the DA stage will identify a noise design base for the entire mixed use building and would become the benchmark for subsequent acoustic assessments of that building.</i></p> | <p>As above, the application was referred to Council's Environmental Health Officer who has imposed a series of conditions to ensure compliance with the relevant noise criteria.</p> | <p><b>Complies, subject to condition.</b></p> |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                            | Compliance (Yes/No/NA/Conditioned)                                                                     |
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|            | <i>Note 2: To maintain the intent of the acoustic objectives prior to the issue of a Construction Certificate or an Occupation Certificate there will be a requirement for a certificate of acoustic compliance confirming compliance with the specified noise limits referred to above and the noise design base for the mixed use building.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                        |
| <b>15.</b> | <b>Natural Ventilation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                        |
|            | <p>(a) All buildings are to be designed to comply with the Apartment Design Guide (SEPP 65) to maximise opportunities for natural ventilation and sunlight by providing a combination of:</p> <ul style="list-style-type: none"> <li>- corner apartments</li> <li>- dual aspect apartments</li> <li>- - shallow, single-aspect apartments</li> <li>- openable windows and doors</li> <li>- other ventilation devices</li> </ul> <p>(b) Window placement, size, glazing selection and orientation are to maximise opportunities for cross ventilation, taking advantage of prevailing breezes;</p> <p>(c) Internal corridors, lobbies, communal circulation spaces and communal areas shall incorporate adequate natural ventilation;</p> <p>(d) Basements levels including spaces used for storage, garbage areas or commercial activities, are to be designed to include natural ventilation;</p> <p>(e) Apartment depth is to be limited to maximise the opportunity for cross ventilation and airflow.</p> | <p>The application was referred to Council's Environmental Health Officer, who has provided a series of recommended conditions to ensure that the development provides an integrated acoustic/ventilation/air quality strategy, satisfying the requirements applicable to the development.</p> <p>It is noted that the proposal shall provide natural ventilation to all single-aspect rooms through operable windows and trickle-vent systems.</p> | <p><b>Complies, subject to condition.</b></p> <p><i>See Key Issues and for further discussion.</i></p> |
| <b>16.</b> | <b>Articulation and Modulation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                        |
|            | <p>(a) All buildings are to provide articulation by incorporating a variety of window openings, balcony types, balustrades, fins, blade walls, parapets, sun-shade devices and louvres to add visual depth to the façade;</p> <p>(b) The design of buildings are to avoid large areas of blank walls. Where blank walls are unavoidable, they must be treated and articulated to achieve</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>The proposed building facades are considered to be sufficiently articulated by a combination of recessed and protruding elements, a variety of window types, the use of balconies, materials and architectural framing. The concerns raised by</p>                                                                                                                                                                                               | <p><b>Complies.</b></p>                                                                                |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proposal                                                                                                                                                                                     | Compliance (Yes/No/NA/Conditioned) |
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|            | <p>an appropriate presentation to the public domain;</p> <p>(c) Ground floor shopfronts must demonstrate 'fine grained' articulation by dividing the façade into discreet bays or sections;</p> <p>(d) Entries to business premises should be clearly defined and distinguished from entries to residential components;</p> <p>(e) Specific architectural response to articulation and modulation is to be provided at key node sites through the architectural competition process;</p> <p>(f) Building articulation should be sympathetic and complementary to the adjoining built form;</p> <p><b>(g)</b> Corner buildings are to be expressed by giving visual prominence to parts of the façade (eg a change in building articulation, material or colour, roof expression or increased height). Corner buildings should be designed to add variety and interest to the street and present each frontage as a main street.</p> | Council's DEAP and RFI correspondence have been addressed through plan amendments.                                                                                                           |                                    |
| <b>17.</b> | <b>Materials and Finishes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                              |                                    |
|            | <p>(a) External walls are to be constructed of high quality and durable materials and finishes. Materials that may be subject to corrosion, susceptible to degradation or high maintenance costs are to be avoided;</p> <p>(b) Architectural treatment of street facades is to clearly define a base, middle and top sections of a building so as to divide the mass of the building;</p> <p>(c) A combination of finishes, colours and materials are to be used to articulate building facades;</p> <p>(d) Design windows that can be cleaned from inside the building; and</p> <p>(e) For sites adjoining heritage and contributory buildings, materials and finishes are to allow for their clear interpretation.</p>                                                                                                                                                                                                            | The proposed development provides a variety of materials and finishes to articulate the building facades. The concerns raised by Council's DEAP have been addressed through plan amendments. | <b>Complies.</b>                   |
| <b>18.</b> | <b>Awnings</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                              |                                    |
|            | (a) Continuous pedestrian shelter must be provided to Anzac Parade, Gardeners Road and secondary streets by                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | An awning shall be provided along the street                                                                                                                                                 | <b>Complies.</b>                   |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposal                                                                                                                                                                                                                                                      | Compliance (Yes/No/NA/Conditioned) |
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|            | <p>elements including awnings, posted verandas, colonnades or cantilevered building mass</p> <p>(b) The design of new awnings should complement the design of adjoining awnings and complement the building façade</p> <p>(c) Awnings are to be carefully located and set back to avoid obstructing vehicle sightlines, traffic signals, intersections, pedestrian crossings and other critical road infrastructure.</p> <p>(d) Awnings should wrap around corners where a building is sited on a street corner</p> <p>(e) Awning dimensions for buildings fronting Anzac Parade, secondary streets off Anzac Parade, and Gardeners Road are to provide:</p> <ul style="list-style-type: none"> <li>- a minimum width of 3m</li> <li>- a minimum soffit height of 3.5m and no higher than 4.2m above the footpath</li> <li>- a minimum 1 metre setback from the kerb</li> <li>- a low profile, with slim vertical facias or eaves, generally not exceeding 300mm</li> </ul> <p>(f) In relation to laneways, awnings: - must be well designed to provide shelter for entrances and should relate to the ground floor building uses such as outdoor dining; - are to be cantilevered with no posts (with a retractable arm); - must allow for a minimum 1.8m path of travel along the building edge.</p> | <p>frontages and within the through site link, consistent with those approved to the adjoining development.</p>                                                                                                                                               |                                    |
| <b>19.</b> | <b>Active Street Frontages</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                               |                                    |
|            | <p>(a) Required active frontages are to be provided in accordance with RLEP 2012 (Clause 6.20) Active frontages Map</p> <p>(b) Preferred active frontages are to be provided in accordance with Part B – Block Controls of this DCP c)</p> <p>(c) A minimum of 80% of the street frontage on Anzac Parade is to incorporate transparent glazing on the ground floor façade</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>The proposed development provides an active street frontage along Anzac Parade and to the through site link as required by the control. The Ground Floor level of the development fronting Anzac Parade shall be fully glazed for the retail premises.</p> | <p><b>Acceptable.</b></p>          |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Proposal                                                                                                                                                                                                                                                                                                                                                                                                      | Compliance (Yes/No/NA/Conditioned) |
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|            | <p>(d) The ground floor is to maximise entries or display windows and provide at least 1 pedestrian opening per 5m of facade on Anzac Parade or secondary streets and wrapping shopfronts around corners</p> <p>(e) The ground floor of uses fronting lane ways must provide a continuous retail frontage with at least 1 pedestrian entry or door per 10m of façade</p> <p>(f) The ground floor of uses fronting mid-block links/arcades must provide at least one 1 pedestrian entry or door per 15m of façade</p> <p>(g) A minimum of 50% of a blank wall (larger than 10m<sup>2</sup>) visible from the public domain must incorporate greenery and/or public art</p> <p>(h) Entrances to internally oriented shopping or commercial arcades and the arcades themselves, must be a minimum of 6m wide</p> <p>(i) Solid non-transparent roller shutters are discouraged. Where security grills or screens are required, they are to be installed at least 1m behind the glazing line and of lattice design with an openness to allow viewing of the interior and internal lighting to spill onto the footpath</p> <p>(j) Incorporate outdoor dining wherever possible in accordance with Part D12, Footpath Dining and Trading of DCP 2013.</p> | <p>To Bunnerong Road, the proposed church has significant glazing and activation.</p> <p>To Sturt Street, the frontage is predominantly made up of services and vehicular access, which is acceptable as the tertiary site frontage.</p> <p>To the through site link sides, the development provides activation through a range of different uses and improves the aesthetic presentation of these links.</p> |                                    |
| <b>20.</b> | <b>Landscape Area</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |
|            | <p>(a) The total landscaped area to be provided on a site is to be at least 100% of the total site area, spread throughout the site and building as shown in Figure 16.</p> <p>(b) Landscaped open space requirements of Chapter C2 (Medium Density Residential) do not apply to land within the Kingsford and Kensington Town Centres other than clauses 2.2.2 and 2.3 relating to deep soil areas and private and communal open space.</p> <p>(c) Landscaping must be suitable to the building orientation aspect, wind and other relevant environmental factors.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>The proposed development provides a total landscape area of 92.4% (3490.64sqm) of the site, which was significantly increased from the original scheme and is spread across all levels of the development.</p> <p>It is noted that minimal deep soil areas have been afforded along the southern boundary, due to the need to facilitate</p>                                                               | <b>Acceptable.</b>                 |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposal                                                                                                                                                                                                                                                                                                                                               | Compliance (Yes/No/NA/Conditioned) |
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|            | <p>(d) A minimum of 40% of the total gross landscaped area including communal open space is to include areas with sufficient soil depth and structure to accommodate mature trees and planting. A combination of trees, shrubs and ground cover is encouraged to make the landscaping more attractive and long lasting.</p> <p>(e) A minimum of 25% of the ground plane and share-ways are to be landscaped sufficient in size and dimensions to accommodate trees and significant planting.</p> <p>(f) Green walls can only contribute up to 20% of the total gross landscaped area and will be assessed on the merits of the proposal in terms of quality of green infrastructure and verification from a qualified landscape architect.</p> <p>(g) Roof tops can only contribute up to 30% of the total gross landscape area and the area is to be designed to maximise visibility of planting from the public domain. Rooftops may include communal food farms and food production areas.</p> <p>(h) Technical, structural and ongoing maintenance arrangements of proposed roof top gardens and green walls are to be documented by a qualified landscape architect and incorporated into the development proposal.</p> <p>(i) The area dedicated to roof top solar (PV infrastructure) is not to be counted as part of the total gross landscape area.</p> <p>(j) Where green roofs and green walls are provided, these shall comply with requirements contained in Chapter B4 (clause 4).</p> <p>(k) Despite the provision of a green wall, all facades are to meet design excellence requirements including building articulation and modulation specified in section 16 of this section of the DCP.</p> <p>(l) In addition to the requirements of Part B4 (Landscaping and Biodiversity), all</p> | <p>compliant basement parking and ground level activation at the ground plane.</p> <p>The proposed landscaping composition is generally consistent with the intent of the control and has incorporated viable landscaping zones as a part of both communal and private open space. The proposed minor deficiency is supported in the site context.</p> |                                    |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Proposal                                                                                                                                                                                                                                                                                                                                          | Compliance (Yes/No/NA/Conditioned) |
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|            | <p>DAs for sites within the Kensington and Kingsford town centres must submit a landscape plan addressing the following requirements:</p> <ul style="list-style-type: none"> <li>(i) quantity of landscaping provided on site;</li> <li>(ii) scaled drawings of all areas;</li> <li>(iii) how landscaping would complement the architectural style of building and assists in its presentation to the streetscape and high visibility;</li> <li>(iv) rainwater harvesting and other irrigation methods proposed;</li> <li>(v) full construction details of soil profile, method of attachment to the building, and drainage/waterproofing; and</li> <li>(vi) engineering certification confirming building can withstand planting and associated structures.</li> </ul> <p><b>Note 1</b> 'Ground plane' refers to spaces between buildings on the ground level providing for landscaping, pedestrian access and physical connections to the street.</p> <p><b>Note 2:</b> 'Gross Landscape Area' refers to the sum of all landscaped areas within a development and may include (but is not limited to) ground plane, gardens, outdoor terraces, planter boxes, sky gardens, roof terraces, and green walls.</p> |                                                                                                                                                                                                                                                                                                                                                   |                                    |
| <b>21.</b> | <b>Transport, Traffic, Parking &amp; Access</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                   |                                    |
|            | <p>(a) Vehicle parking within the Kensington and Kingsford town centres is to be provided in accordance with the rates outlined in the tables below. Parking requirements for all other development types not specified in the table below are contained in section 3.2 Vehicle Parking Rates (of Chapter B7)</p> <p>(b) Where practical, parking access and/or loading is to be provided from secondary streets (rather than directly off Anzac Parade or gardeners Road), set back at least 6m from the intersection or the rear lane</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>The application was referred to Council's Development Engineer. See detailed comments further in report, of which found the parking rate acceptable, subject to conditions regarding a revised Green Travel Plan and parking allocation.</p> <p>Parking access provided via the tertiary street frontage to Sturt Street, with underground</p> | <b>Acceptable.</b>                 |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposal           | Compliance (Yes/No/NA/Conditioned) |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------------------------|
|            | <p>(c) Basement carpark access must comply with the requirements of B8: Water Management</p> <p>(d) Parking access and/or loading areas are to be designed as recessive components of the elevation so as to minimise the visual impact</p> <p>(e) Parking is to be accommodated underground where possible</p> <p>(f) Sub-basement car parking is to be no more than 1.2m above existing ground level;</p> <p>(g) Provide flexible hardstand area for the purposes of bicycle maintenance and repairs</p> <p>(h) Where a variation to the DCP Car Parking rates is sought, the proponent shall respond directly to Control i), 3.3 Exceptions to Parking Rates of the DCP 2013</p> <p>(i) A Green Travel Plan is required to accompany all DAs for new buildings and substantial alterations to existing buildings. The Green Travel Plans is to set out:</p> <p>(i) Future travel mode share targets, specifically a reduction in car driver mode share ii)</p> <p>(ii) Travel demand management strategies to encourage sustainable travel iii)</p> <p>(iii) Initiatives to implement and monitor travel measures such as car share and bike share; and iii)</p> <p>(iv) alignment with Control i), 3.3 Exceptions to Parking Rates of this DCP.</p> <p>(j) Car share spaces are to be provided in accordance with Part B7: 2.2 (Car Share) of this DCP</p> <p>(k) All DAs are to provide electric charging stations in an accessible location on site.</p> <p><i>Note 1: Any provision of parking above the maximum requirements will be counted towards gross floor area.</i></p> | basement parking.  |                                    |
| <b>22.</b> | <b>Sustainability</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                    |                                    |
|            | (a) All buildings must achieve a minimum green star certification rating of 5 or                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | The application is | <b>Complies, subject</b>           |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Compliance (Yes/No/NA/Conditioned) |
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|            | <p>equivalent (other recognised rating tools)</p> <p>(b) DAs for strategic node sites must be designed to achieve a GBCA exceeding Five-Star Green Star Design as Built with a sustainability strategy giving priority to the following innovations: -</p> <ul style="list-style-type: none"> <li>- Waste collection (e.g. Automated underground waste)</li> <li>- Renewable energy opportunities</li> <li>- Water harvesting and re-use</li> <li>- Vertical and Roof Greening</li> <li>- Buildings shall incorporate passive design strategies in addition to materials which have less embodied energy, reducing operational energy and focussing on on-going well being of occupants</li> </ul> <p>(c) All development must address the requirements of Part B3- Ecologically Sustainable Development of this DCP</p> <p>(d) Applications for new commercial office development premises and hotel/motel accommodation with a floor area of 1,000m<sup>2</sup> or more must achieve a minimum NABERS 6- star Energy and NABERS 5-star or 6-star Water rating</p> <p>(e) All development must provide 1 electric vehicle charging point per 5 parking spaces where onsite parking is provided.</p> <p>(f) All development must address the requirements of B6 Recycling and Waste Management</p> <p>(g) All new buildings are to provide a space for storage and sorting of problem waste such as E-waste, clothing, and hazardous waste.</p> <p>(h) All new development (other than alterations and additions, or development that is minor or ancillary in nature) is to incorporate a localised automated waste collection system in accordance with Council's Automated Collection System Guidelines.</p> | <p>supported by an Ecologically Sustainable Development Report demonstrating compliance with the targeted five star green star rating equivalent. A condition of consent is recommended to ensure the nominated requirement is complied with in the development.</p> <p>A condition of consent shall be imposed to ensure electric charging points are provided at a ratio of 1 per 5 spaces.</p> <p>There is sufficient space within the basement waste areas for the storage.</p> <p>It is considered that basement level can accommodate the waste services. It is noted that Council has repealed the previous localised automated waste collection system for a conventional waste collection.</p> | to condition.                      |
| <b>23.</b> | <b>Water Management</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |
|            | <p>(a) DAs must address Part B8 – Water Management of the Randwick DCP 2013 in relation to water conservation, groundwater and flooding and Water Sensitive Urban Design</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>The application was referred to Council's Development Engineer, who has recommended a</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Complies, subject to condition.    |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Proposal                                                                                                                                                                                                                                       | Compliance (Yes/No/NA/Conditioned) |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
|            | <p>(b) In addition to requirements of Part B8, applications for basement level/s must include:</p> <p>(i) detailed designs by a qualified hydrological or structural engineer for a water-proof retention system (fully-tanked structure) with adequate provision for future fluctuations of water table variation of at least +/- 1 metre; and</p> <p>(ii) certification from a second qualified hydrological engineer experienced in the design of structures below a water table that the design of the groundwater management system will not have any adverse effects on surrounding property or infrastructure.</p>                                                                                                                                            | series of conditions of consent in relation to water management. Conditions and general terms of approval have also been provided by Water NSW, which shall be incorporated into the development consent.                                      |                                    |
|            | <p><b>Flooding</b></p> <p>(a) Building design is to facilitate adaptation to different commercial and retail uses, as well as the integration of flooding solutions into the built form, resulting in a floor-to-floor ground floor height between 4.5m and 6m.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Proposed flood planning levels were reviewed and supported by Council's Development Engineer.                                                                                                                                                  | <b>Complies</b>                    |
| <b>24.</b> | <b>Aircraft Operations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                |                                    |
|            | <p>(a) DAs involving the use of cranes during construction and light poles must ensure compliance with Clause. 6.8 of the RLEP 2012 in relation to Airport Operations</p> <p>(b) Applications for new buildings and cranes during construction must meet the requirements of Part F3 - Sydney Airport Planning and Noise Impacts of the Randwick DCP 2013</p> <p>(c) Applications for development that exceed 51m AHD at Kingsford will be subject to an assessment process under the Airports (Protection of Airspace) Regulations, 1996.*</p> <p><i><b>*Note:</b> Proposals that penetrate prescribed airspace above 51m AHD may affect the safety of existing and future air transport operations at Sydney Airport and as such may not be approved under</i></p> | The application was referred to Sydney Airport Corporation, who raised no objection to the proposed development. Conditions of consent shall be imposed in relation to any controlled activities and apply the requirements of Sydney Airport. | <b>Complies.</b>                   |

| DCP Clause    | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Proposal                                                                                                                                                                                                                  | Compliance (Yes/No/NA/Conditioned) |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
|               | <p><i>the Airports (Protection of Airspace) Regulations, 1996.</i></p> <p><i>Further information can be obtained from the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications, the agency responsible for development approvals that constitute “controlled activities” (under the Airports Act 1996) affecting Sydney Airport.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                           |                                    |
| <b>PART D</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                           |                                    |
| <b>27.</b>    | <b>Solar Access – Public Open Space</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                           |                                    |
|               | <p>(a) New buildings and alterations and additions to existing buildings are to be designed to ensure that the following locations shown on Figures 17a and 17b are not overshadowed by more than 10% in mid-winter (June 22nd) between the hours of 12noon and 2pm:</p> <ul style="list-style-type: none"> <li>– Kensington Public School</li> <li>– Duke St Plaza</li> <li>– Bowral St Plaza</li> <li>– Uni Lodge Plaza</li> <li>– Addison St Plaza</li> <li>– Kokoda Park</li> <li>– Todman Ave Plaza</li> <li>– Meeks St Plaza</li> <li>– Borrodale Road widening</li> <li>– Town Square Plaza</li> <li>– Market Site corner</li> <li>– Triangle site corner</li> <li>– Dacey Gardens</li> </ul> <p>(b) New buildings and alterations to existing buildings are to retain solar access to a minimum of 50% of the site area of key public places identified in a) and shown on Figures 17a and 17b for a minimum of 3 hours in mid-winter (June 22nd).</p> | <p>The Dacey Gardens adjoins the site to the south-west, of which the development will not adversely impact, except for some minor overshadowing in the morning to an extent that is considered minor and acceptable.</p> | <b>Complies.</b>                   |
| <b>28.</b>    | <b>Wind Flow</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                           |                                    |
|               | <p>(a) DAs are to include a Wind Impact Assessment for new buildings over nine (9) storeys in height. The findings of the Wind Impact Assessment are to provide design solutions to minimise the impact of wind on the public and private domain</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>The application was supported by a Wind Impact Assessment, which concludes that the proposed development shall have minimal effect on the local wind environment and shall not</p>                                     | <b>Acceptable.</b>                 |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Proposal                                                                                                                                                                                                                           | Compliance (Yes/No/NA/Conditioned)            |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
|            | <p>(b) Development must not create a ground level environment where additional generated wind speeds exceed:</p> <ul style="list-style-type: none"> <li>(i) 10 metres per second for active frontages along Anzac Parade and</li> <li>(ii) 16 metres per second for all other streets</li> </ul> <p>(c) Buildings over 9 storeys are to incorporate design features that ameliorate existing adverse wind conditions so that the above criteria is achieved</p> <p>(d) Building design is to minimise adverse wind effects on recreation facilities and open spaces within developments</p> <p>(e) Balconies are to be designed to minimise wind impacts and maximise usability and comfort through recessed balconies, operable screens, pergolas and shutters</p> <p>(f) Balconies must be recessed on buildings over 45m in height.</p>                                              | <p>result in any significant impact upon pedestrian comfort or safety, with wind conditions acceptable for pedestrian standing or walking.</p>                                                                                     |                                               |
| <b>29.</b> | <b>Public Art</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                    |                                               |
|            | <p>(a) Public Art is to be generally be consistent with Council's Public Art Strategy</p> <p>(b) All sites with frontages greater than 12 metres and corner sites, must incorporate artistic elements into the built form such as creative paving, window treatments, canopy design, balustrading, signage and wayfinding, lighting to assist illumination levels after dark and the promotion of active uses in the public spaces</p> <p>(c) In addition to clause 29(b) site specific public art is to be provided on identified sites, plazas and mid-block links as per the block by block controls in Part B of this DCP</p> <p>(d) Public art is to be located in areas which offer the public a free and unobstructed visual experience of the work</p> <p>(e) Incorporate creative lighting, decorative elements and/or murals in laneways, share ways and pedestrian links</p> | <p>The proposed through site links, public domain and building entries will comprise of public art in accordance with the submitted public art strategy, to be conditioned to incorporate additional public art installations.</p> | <p><b>Complies, subject to condition.</b></p> |

| DCP Clause                                             | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposal                                                                                                                                                                                                                                                                                 | Compliance<br>(Yes/No/NA/<br>Conditioned)                                             |                                    |                                                        |    |              |                      |    |              |                                                                                                                                                                                                                                                                                                                                                                                                        |           |
|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------|--------------------------------------------------------|----|--------------|----------------------|----|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                        | (f) Submit an Arts Statement which identifies the reasons for the chosen themes, and their interpretation into specific treatments with the DA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                          |                                                                                       |                                    |                                                        |    |              |                      |    |              |                                                                                                                                                                                                                                                                                                                                                                                                        |           |
| 30.                                                    | Affordable Housing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                          |                                                                                       |                                    |                                                        |    |              |                      |    |              |                                                                                                                                                                                                                                                                                                                                                                                                        |           |
|                                                        | <p>(a) All development within the 'Kensington and Kingsford Town Centres Affordable Housing Contributions Area' (Figure 18) must contribute towards the provision of affordable housing based on the following rates:</p> <table><caption>Table – Affordable Housing Contributions</caption><tr><th>Date of DA lodgement</th><th>Percentage of residential gross floor area to be dedicated towards affordable housing</th><th>Equivalent Monetary contribution *</th></tr><tr><td>From 13 August 2020 up to and including 13 August 2022</td><td>3%</td><td>\$324.38/sqm</td></tr><tr><td>After 13 August 2022</td><td>5%</td><td>\$540.62/sqm</td></tr></table> <p>* where less than whole unit is provided</p> <p>(b) Affordable Housing contributions are to be provided in accordance with the Affordable Housing Plan 2019 for the Kensington and Kingsford Town Centres</p> <p>(c) The affordable housing contribution rate is to apply to the residential gross floor area component of the development</p> <p>(d) Contributions towards affordable housing are to be provided through a dedication of completed units with any remainder paid as a monetary contribution in accordance with the affordable housing contributions table referred to in clause a).</p> <p><b>*Note</b> the Affordable Housing Contributions Area corresponds to the B2 Local Centre Zone boundary.</p> | Date of DA lodgement                                                                                                                                                                                                                                                                     | Percentage of residential gross floor area to be dedicated towards affordable housing | Equivalent Monetary contribution * | From 13 August 2020 up to and including 13 August 2022 | 3% | \$324.38/sqm | After 13 August 2022 | 5% | \$540.62/sqm | <p>A letter of offer has been provided by the Applicant, which agrees to enter into a VPA for the provision of affordable housing contributions. The offer identifies that housing stock shall be dedicated to Council in the form of 20,752m<sup>2</sup> or 5% of the total floor area. Appropriate conditions of consent shall be imposed for the provision of affordable housing contributions.</p> | Complies. |
| Date of DA lodgement                                   | Percentage of residential gross floor area to be dedicated towards affordable housing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Equivalent Monetary contribution *                                                                                                                                                                                                                                                       |                                                                                       |                                    |                                                        |    |              |                      |    |              |                                                                                                                                                                                                                                                                                                                                                                                                        |           |
| From 13 August 2020 up to and including 13 August 2022 | 3%                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$324.38/sqm                                                                                                                                                                                                                                                                             |                                                                                       |                                    |                                                        |    |              |                      |    |              |                                                                                                                                                                                                                                                                                                                                                                                                        |           |
| After 13 August 2022                                   | 5%                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$540.62/sqm                                                                                                                                                                                                                                                                             |                                                                                       |                                    |                                                        |    |              |                      |    |              |                                                                                                                                                                                                                                                                                                                                                                                                        |           |
| 31.                                                    | Community Infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                          |                                                                                       |                                    |                                                        |    |              |                      |    |              |                                                                                                                                                                                                                                                                                                                                                                                                        |           |
|                                                        | <p>(a) In accordance with Clause 6.17 of the RLEP 2012 an alternative building height and additional floor space ratio may be achievable where Council and the proponent of the DA have agreed to or entered into a planning agreement for the basis of paying the Community Infrastructure Charge</p> <p>(b) The delivery of Community Infrastructure is to be carried out in accordance with the Kensington and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>A letter of offer has been provided by the Applicant, which agrees to enter into a VPA for the provision of community infrastructure contributions. The offer identifies that work-in-kind and a monetary contribution shall be provided. Appropriate conditions of consent shall</p> | Complies.                                                                             |                                    |                                                        |    |              |                      |    |              |                                                                                                                                                                                                                                                                                                                                                                                                        |           |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposal                                                                                                                                                                                                                                                                                                                                     | Compliance (Yes/No/NA/Conditioned) |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
|            | <p>Kingsford Town Centres Community Infrastructure Contributions Plan 2019.</p> <p><b>Note 1:</b> <i>Community Infrastructure Charge</i> Community infrastructure is identified in the Schedule of community Infrastructure within the Kensington and Kingsford Town Centres Community Infrastructure Contributions Plan 2020. It includes development for the purposes of recreation areas, recreation facilities, public roads, community facilities and drainage.</p> <p><i>In order for this community infrastructure to be provided, the following types of community infrastructure contributions will be considered:</i></p> <ul style="list-style-type: none"> <li>• A monetary contribution (Community Infrastructure Charge); or</li> <li>• Dedication of land or property; or</li> <li>• Carrying out works; or</li> <li>• A combination of all the above.</li> </ul> <p><i>The Community Infrastructure Charge is set out in the Kensington and Kingsford Town Centres Community Infrastructure Contributions Plan 2019. A voluntary planning agreement is the means by which the Community Infrastructure will be delivered on a given site.</i></p> | <p>be imposed for the provision of affordable housing contributions.</p>                                                                                                                                                                                                                                                                     |                                    |
| <b>32.</b> | <b>Public Domain and Landscape</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                              |                                    |
|            | <p>(a) Development within the public domain is to be consistent with Figures 17a and 17b: The Public Domain Strategy.</p> <p>(b) DAs for new buildings and substantial alterations and additions to more than 50% of the existing floor area are to be accompanied by a Public Domain Plan that demonstrates consistency with the public domain objectives within this DCP and addresses the following:</p> <ul style="list-style-type: none"> <li>(i) street levels</li> <li>(ii) interface between the public and private domains, including levels</li> <li>(iii) detail of the entire adjoining streets</li> <li>(iv) collection, flow and treatment of stormwater</li> <li>(v) paving and other hard surfaces</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>The proposal involves the upgrading of the public domain including new street trees, footpaths, seating etc in accordance with the requirements to all street frontages. Detailed specifications of the works will be undertaken in consultation with Council, in addition to the VPA works that form part of the planning agreement.</p> | <p><b>Complies.</b></p>            |

| DCP Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposal                                                                                                                                                     | Compliance (Yes/No/NA/Conditioned) |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
|            | <ul style="list-style-type: none"> <li>(vi) street trees and other vegetation – Randwick Street Tree Master Plan</li> <li>(vii) lighting</li> <li>(viii) safety</li> <li>(ix) seating and other furniture</li> <li>(x) stairs and other methods of managing gradient change</li> <li>(xi) refuse bins</li> <li>(xii) signage, including interpretation and wayfinding signage</li> <li>(xiii) public art</li> <li>(xiv) water sensitive urban design (WSUD) such as landscaped swales to improve the quality of water entering the ground</li> <li>(xv) through site links and shared zones</li> </ul> <p>(c) Street trees are to be provided in accordance with the Randwick Street Tree Master Plan and the Light Rail Urban Design Guidelines.</p> <p>(d) Development adjacent to lanes should provide for:</p> <ul style="list-style-type: none"> <li>(i) Active ground floor uses to encourage pedestrian activity</li> <li>(ii) Adequate setbacks from sensitive land uses such as residential and schools</li> <li>(iii) Adequate lighting to address safety</li> <li>(iv) Design solutions that maintain public access at all times regardless of mobility impairments</li> <li>(v) Business servicing that can reasonably take place with minimal pedestrian conflict.</li> </ul> |                                                                                                                                                              |                                    |
| <b>34.</b> | <b>Air Quality</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                              |                                    |
|            | <p>(a) DAs are to include a report from a suitably qualified air quality consultant that addresses building design solutions and construction measures that reduce air pollution and improve indoor air quality for occupants</p> <p>(b) DAs are to submit a statement which explains how the proposal has addressed the NSW Government 'Development near rail corridors and busy roads – Interim Guideline'</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>Consent conditions recommended for appropriate construction measures and the proposal was also supported by Transport for NSW, subject to conditions.</p> | <b>Complies.</b>                   |

| DCP<br>Clause | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposal | Compliance<br>(Yes/No/NA/<br>Conditioned) |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------------|
|               | <p>(c) Air intake for proposals are to be sited well away from Anzac Parade or the pollution source (e.g on top of tall buildings) or provided with filtration to remove particulates; and</p> <p>(d) DAs for sensitive land uses such as childcare centres, schools or aged care facilities must submit an air quality study prepared by a suitably qualified expert demonstrating how air pollution exposure and health risks will be mitigated.</p> |          |                                           |

Co-Living Housing SEPP Compliance Table

| Section                          | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Proposal                                                                                                                                                                                                                                                                                                                                                                                         | Compliance<br>(Yes/No/NA/<br>Conditioned)                                               |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <b>Part 3: Co-living housing</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                         |
| <b>67</b>                        | <b>Co-living housing may be carried out on certain land with consent</b>                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                         |
|                                  | <p>Development for the purposes of co-living housing may be carried out with consent on land in a zone in which development for the purposes of co-living housing is permitted under another environmental planning instrument, or development for the purposes of residential flat buildings or shop top housing is permitted under Chapter 5 or another environmental planning instrument.</p> <p><i>Example—<br/>Co-living housing may be used as off-campus student accommodation.</i></p> | <p>Residential flat building development permitted in Zone E2. As such, the co-living development is permitted development as per this SEPP clause.</p>                                                                                                                                                                                                                                          | <b>Complies.</b>                                                                        |
| <b>68</b>                        | <b>Non-discretionary development standards—the Act, s 4.15</b>                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                         |
|                                  | (2) The following are non-discretionary development standards in relation to development for the purposes of co-living housing—                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                         |
|                                  | <p>(a) for development in a zone in which residential flat buildings are permitted—a floor space ratio that is not more than—</p> <p>(i) the maximum permissible floor space ratio for residential accommodation on the land, and</p> <p>(ii) an additional 10% of the maximum permissible floor space ratio <b>if the additional floor space is used only for the purposes of co-living housing,</b></p>                                                                                      | <p>Maximum FSR of 5.5:1 (Part A) and 4.4:1 (Part B), with a 10% bonus for co-living under the Housing SEPP 2021.</p> <p>The proposed development shall have a maximum FSR of 4.67:1 (aggregated across site), with an FSR of 6.4:1 to Part A and 4.1:1 to Part B, respectively.</p> <p>See Clause 4.6 assessment for variations to the Part A FSR and Non-Resi FSR in the assessment report.</p> | <b>Does not comply.</b><br><i>See Key Issues and Clause 4.6 for further discussion.</i> |
|                                  | <p>(c) for co-living housing containing more than 6 private rooms—</p> <p>(i) a total of at least 30m<sup>2</sup> of communal living area plus at least a further 2m<sup>2</sup> for each private room in excess of 6 private rooms, and</p> <p>(ii) minimum dimensions of 3m for each communal living area,</p>                                                                                                                                                                               | <p>Proposed development comprises of 530 rooms.</p> <p>Min CLA = 1078sqm (30sqm + (524 rooms x 2sqm))</p> <p>Applicant = 1154sqm.<br/>Council = 1,103sqm, excluding the outdoor bike terrace and</p>                                                                                                                                                                                             | <b>Complies.</b>                                                                        |

| Section   | Control                                                                                                                                                                                                                                                                                                                         | Proposal                                                                                                                    | Compliance<br>(Yes/No/NA/<br>Conditioned) |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
|           |                                                                                                                                                                                                                                                                                                                                 | staircase/circulation area to the ground floor.                                                                             |                                           |
|           | (d) communal open spaces—<br>(i) with a total area of at least 20% of the site area, and<br>(ii) each with minimum dimensions of 3m,                                                                                                                                                                                            | Min CLA = 755.64m <sup>2</sup><br>(3778.2m <sup>2</sup> x 20%)<br><br>Proposed = 956sqm                                     | <b>Complies.</b>                          |
|           | (e) unless a relevant planning instrument specifies a lower number—<br>(i) for development on land in an accessible area—0.2 parking spaces for each private room, or<br>(ii) otherwise—0.5 parking spaces for each private room,                                                                                               | See Section E6 RDCP for parking rate, that requires 0 parking for student accommodation.                                    | <b>N/A</b>                                |
| <b>69</b> | <b>Standards for co-living housing</b>                                                                                                                                                                                                                                                                                          |                                                                                                                             |                                           |
|           | (1) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority is satisfied that—                                                                                                                                                                               |                                                                                                                             |                                           |
|           | (a) each private room has a floor area, excluding an area, if any, used for the purposes of private kitchen or bathroom facilities, that is not more than 25m <sup>2</sup> and not less than—<br>(i) for a private room intended to be used by a single occupant—12m <sup>2</sup> , or<br>(ii) otherwise—16m <sup>2</sup> , and | All room typologies satisfy the room size requirements, as demonstrated in drawings DA-4401 – 4424.                         | <b>Complies.</b>                          |
|           | (b) the minimum lot size for the co-living housing is not less than—<br>(i) for development on land in Zone R2 Low Density Residential—600m <sup>2</sup> , or<br>(ii) for development on other land— <b>800m<sup>2</sup></b> , and                                                                                              | Site Area = 3,778.2sqm                                                                                                      | <b>Complies.</b>                          |
|           | (d) the co-living housing will contain an appropriate workspace for the manager, either within the communal living area or in a separate space, and                                                                                                                                                                             | The proposed development contains a manager's office provided on ground floor, which is of an appropriate size and amenity. | <b>Complies.</b>                          |
|           | (e) for co-living housing on land in a business zone—no part of the ground floor of the co-living housing that fronts a street will be used for residential purposes unless another environmental planning instrument permits the use, and                                                                                      | The proposed development provides Retail premises/church to Anzac Parade and Bunnerong Road, respectively.                  | <b>Complies.</b>                          |
|           | (f) adequate bathroom, laundry and kitchen facilities will be available within the co-living housing for the use of each occupant, and                                                                                                                                                                                          | All room typologies provide separate bathroom and kitchen facilities. The development also includes communal                | <b>Complies.</b>                          |

| Section   | Control                                                                                                                                                                                                                | Proposal                                                                                                                                                                                                              | Compliance<br>(Yes/No/NA/<br>Conditioned)                           |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
|           |                                                                                                                                                                                                                        | kitchen, bathroom and laundry services within the central podium.                                                                                                                                                     |                                                                     |
|           | (g) each private room will be used by no more than 2 occupants, and                                                                                                                                                    | All rooms will not contain more than 2 occupants, in accordance with the room typologies and submitted Plan of Management, with relevant conditions of consent imposed to enforce this requirement.                   | <b>Complies, subject to condition.</b>                              |
|           | (h) the co-living housing will include adequate bicycle and motorcycle parking spaces.                                                                                                                                 | Adequate bicycle and motorbike parking provided in accordance with E6 DCP rates, as confirmed by Council's Development Engineer.                                                                                      | <b>Complies.</b>                                                    |
|           | (2) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority considers whether—                                                                      |                                                                                                                                                                                                                       |                                                                     |
|           | (b) if the co-living housing has at least 3 storeys—the building will comply with the minimum building separation distances specified in the Apartment Design Guide, and                                               | The proposed development provides adequate separation between buildings to enable visual amenity, solar and privacy between buildings. A detailed analysis has been provided in the Key Issues section of the report. | <b>Acceptable.</b><br><i>See Key Issues for further discussion.</i> |
|           | (c) at least 3 hours of direct solar access will be provided between 9am and 3pm at mid-winter in at least 1 communal living area, and                                                                                 | The proposed development will provide 3 hours of solar access at mid-winter to the Level 1 CLA via the Anzac Parade podium cut out.                                                                                   | <b>Complies.</b>                                                    |
|           | (f) the design of the building will be compatible with—<br>(i) the desirable elements of the character of the local area, or<br>(ii) for precincts undergoing transition—the desired future character of the precinct. | The design of the development is compatible with the desired future character of the precinct. See Key Issues and DEAP comments.                                                                                      | <b>Acceptable.</b><br><i>See Key Issues for further discussion.</i> |
| <b>70</b> | <b>No Subdivision</b>                                                                                                                                                                                                  |                                                                                                                                                                                                                       |                                                                     |
|           | Development consent must not be granted for the subdivision of co-living housing into separate lots.                                                                                                                   | No subdivision proposed of the co-living development.                                                                                                                                                                 | <b>Complies.</b>                                                    |